

Michael C. Murphy, Esq. (S.B. No. 104872)

Michael@murphlaw.net

Michael C. Murphy, Jr. Esq. (S.B. No. 305896)

Michael.jr@murphlaw.net

LAW OFFICES OF MICHAEL C. MURPHY

2625 Townsgate Road, Suite 330

Westlake Village, CA 91361

Tel.: 818-558-3718

Fax: 805-367-4506

Attorneys for Defendant,

Patrick Byrne

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ROBERT HUNTER BIDEN, an individual.

Plaintiff

vs.

PATRICK M. BYRNE, an individual,

Defendant.

Case No.: 2:23-cv-09430-SVW-PD
Judge: Honorable Stephen V. Wilson

} Complaint Filed: November 8, 2023

**DEFENDANT'S SUR REPLY IN
SUPPORT OF HIS MOTION IN
LIMINE NO. 7 TO PRECLUDE
WITNESSES AND EVIDENCE NOT
DISCLOSED PURSUANT TO RULE
26(f); MEMORANDUM OF POINTS
AND AUTHORITIES IN SUPPORT
THEREOF**

Date: July 21, 2025
Time: 3:00 p.m.
Courtroom: "10A"

1 **TO ALL PARTIES AND THEIR ATTORNEY'S OF RECORD:**

2 Defendant Patrick Byrne hereby submits his sur reply in support of his
3 motion to prevent Plaintiff from offering undisclosed evidence or witness
4 testimony.

5 **MEMORANDUM OF POINTS AND AUTHORITIES**

6 **I. INTRODUCTION**

7 This is the third "supplemental" brief Plaintiff has filed in opposition to a
8 motion in limine that is substantially identical to an opposition Plaintiff previously
9 filed. Plaintiff only deleted paragraphs related to the deposition of Defendant, but
10 incorporated no new facts, law, or argument justifying the filing of this brief. To
11 save the Court time, Defendant incorporates his facts, evidence, and argument
12 from his moving and reply papers, and from his Sur Replies In Support Of Motions
13 In Limine Nos. 5-6.

14 Defendant respectfully requests that the Court grant this motion in limine.

15 **II. LEGAL ARGUMENT**

16 **A. Defendant's Motion Should be Granted.**

17 Defendant incorporates his facts, evidence, and argument from his moving
18 and reply papers, and from his Sur Replies In Support Of Motions In Limine Nos.
19 5-6.

20 **III. CONCLUSION**

21 Based on the foregoing, Defendant respectfully requests that this Court grant
22 this Motion. Plaintiff should not be permitted to change his mind during the jury
23 trial of this case and try to introduce documentary or witness testimony that has not
24 been properly disclosed in his Rule 26a disclosure statements.

25 ///

26 ///

27 ///

28 ///

1 Dated: July 7, 2025

2 LAW OFFICES OF MICHAEL C. MURPHY

3 By: /s/ Michael C. Murphy, Esq.

4

5 Michael C. Murphy, Esq.
6 Michael C. Murphy, Jr., Esq.
7 Attorneys for Defendant, Patrick
8 Byrne

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

LAW OFFICES OF MICHAEL C. MURPHY
2625 Townsgate Road, Suite 330
Westlake Village, CA 91361